

REMARKS

Current Status of Claims:

With this amendment, claims 1, 5, 6, 10, 11, 15, 16, 19, 20 and 22 remain pending and claims 17, 18 and 21 are canceled. Applicants offer to amend claims 1, 6, 11, 19, 20 and 22 as presented above. In addition, Applicants have introduced new claims 23–38. Support for the new claims can be found in the original application. No new matter has been introduced.

Rejections under 35 U.S.C. § 102(b):

Claim 1 as currently amended states:

An apparatus comprising:
a data path output unit to output a packet header for a transaction layer packet, the packet header including:
a format field...; and
a type field to specify a transaction type, *the transaction type to include at least one selected from the following group of: a memory request, an input/output request, a configuration request, a message request and a completion*, wherein the format field and the type field together specify the packet header format.

Emphasis added.

RFC 791, Section 3.1 does not describe the above emphasized elements of claim 1. The Type of Service field in the packet header described by RFC 791 only “provides an indication of the abstract parameters of the quality of service desired.” See Section 3.1, page 10 of 37. This does not expressly or inherently describe the above emphasized elements of claim 1. Further, no description of the fields in the RFC 791 packet header expressly or inherently describes the

above emphasized elements of claim 1. Thus, Applicants request that the 35 U.S.C. § 102(b) rejection of claim 1 be withdrawn.

Independent claims 6 and 11 also include similar elements to claim 1. Additionally, claims 5, 10, and 16 depend from one of independent claims 1, 6 and 11. Thus, Applicants request that the 35 U.S.C. § 102(b) rejections of independent claims 6 and 11 and dependent claims 5, 10 and 16 be withdrawn.

Claim 19 as currently amended states:

An apparatus comprising:
a data path output unit to output a packet header for a transaction layer packet, wherein the packet header includes:
a format field to...; and
a type field to specify a transaction type, *the transaction type to include one of a request or a completion,*

Emphasis added.

RFC 791, Section 3.1 does not describe the above emphasized elements of claim 19. As mentioned for claim 1, the Type of Service field in the RFC 791 packet header only “provides an indication of the abstract parameters of the quality of service desired.” See Section 3.1, page 10 of 37. This does not expressly or inherently describe the above emphasized elements of claim 19. Further, no description of the fields in the RFC 791 packet header expressly or inherently describes the above emphasized elements of claim 19. Thus, Applicants request that the 35 U.S.C. § 102(b) rejection of claim 19 be withdrawn.

Claims 20 and 22 depend from independent claim 19. Thus, Applicants also request withdrawal of the 35 U.S.C. § 102(b) rejections of these dependant claims.

Rejections under 35 U.S.C. § 103(a):

On page 4 of the Action, claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over RFC 791 and further in view of Sandberg.

As mentioned above for independent claims 1, 6 and 11 the cited reference of RFC 791 fails to describe the apparatus or system cited in these claims. Further, the Action does not cite Sandberg to cure any of the above stated deficiencies in RFC 791. Since claim 15 depends from independent claim 11, Applicants request that the 35 U.S.C. § 103(a) rejection of claim 15 be withdrawn.

Conclusion

Applicant respectfully submits that claims 1, 5, 6, 10, 11, 15, 16, 19, 20 and 22 - 38 are in condition for allowance and such action is earnestly solicited. *The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.*

Please charge any shortages and credit any overcharges to our Deposit Account number 50-0221.

Respectfully submitted,
Harriman et al.

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